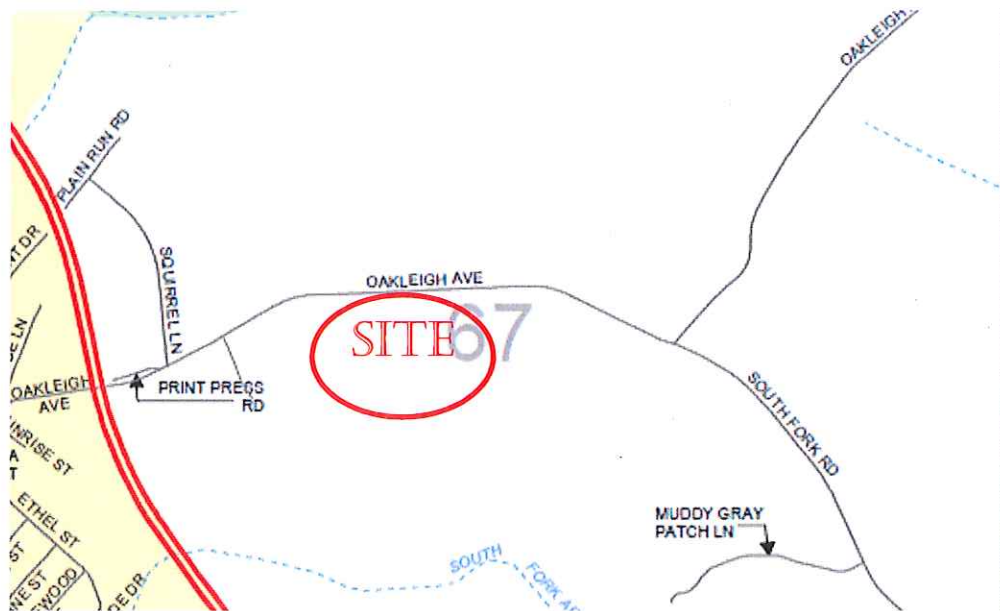


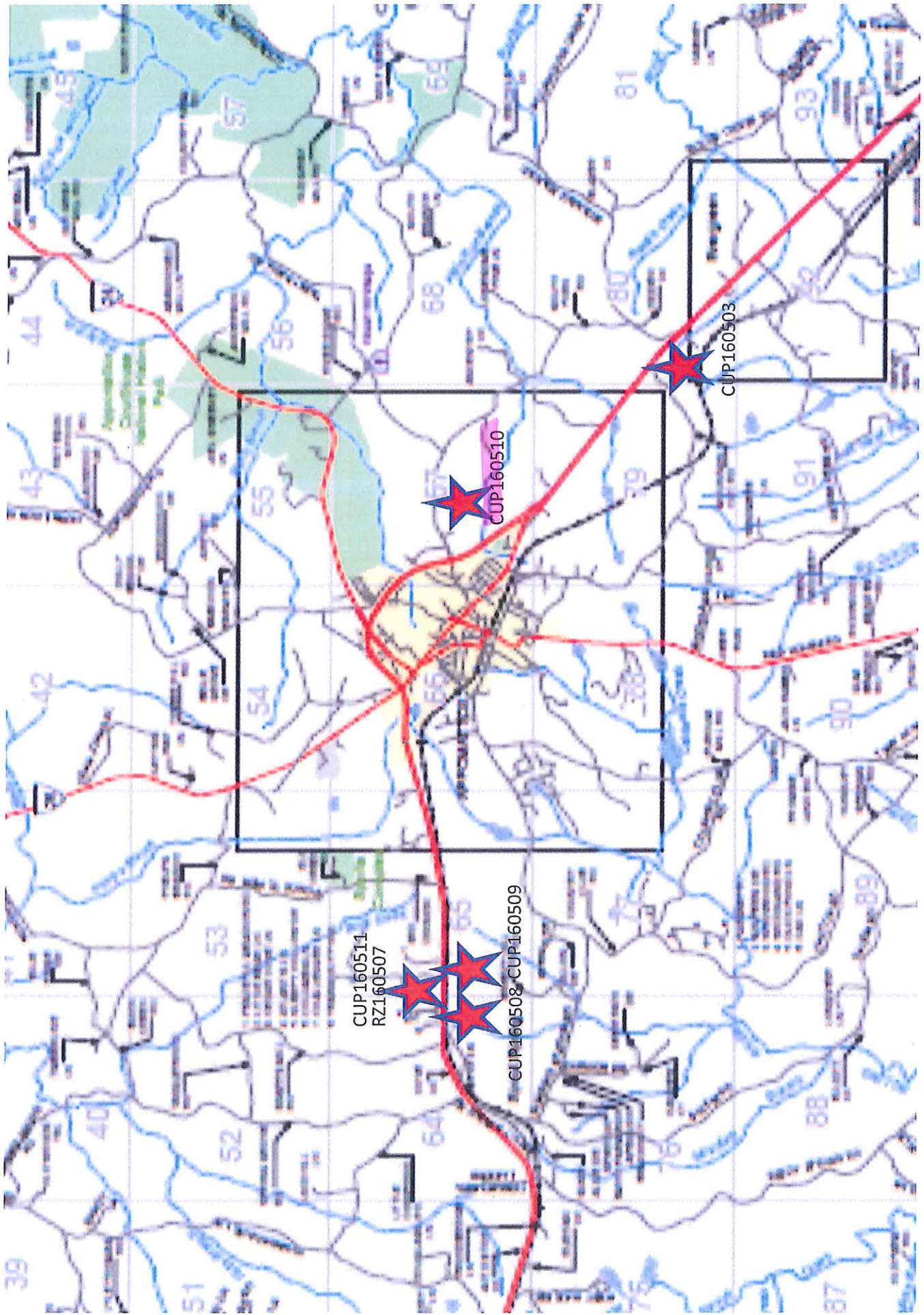


Appomattox County VIRGINIA


BOARD OF SUPERVISORS MEETING FOR OCTOBER 17, 2016



CUP 16-0510
MATT & ASHLEY WILT



**County of Appomattox
Department of Community Development
Staff Report**

To: Board of Supervisors
From: Johnnie Roark 
Director of Community Development
Date: October 17, 2016
RE: Conditional Use Permit Application CUP16-0510-Wilt

SYNOPSIS

Matt & Ashley Wilt are requesting a conditional use permit to locate a landscape supply business (landscaping and lawn care services) on property located at 1364 Oakleigh Avenue in the Appomattox community.

Specifics

Applicant:	Matt & Ashley Wilt
Property Owner:	Same
Current Use:	Residential/Agricultural
Proposed Use:	add Landscape Supply (Landscape & Lawn Care Services)
Surrounding Uses:	Sporadic Residential, Agricultural
Parcel Size:	Approximately 62.55 acres, 5 acres in this use
Zoning:	A-1, Agricultural
Surrounding Zoning:	A-1, Agricultural, H-1, Historic Overlay
Tax Map Number(s):	65 (A) 29 & 30

ANALYSIS

This property is located approximately 0.57 miles from Richmond Highway along Oakleigh Avenue just outside of the Town of Appomattox. The property is currently used for residential and agricultural purposes. Mr. Wilt would like to have a small wayside stand (permitted use) for selling produce, along with an area for the sale of garden plants and mulch/landscape supplies. A small outbuilding located on lot 30 will be utilized for this activity. The home will be used for the office portion of the business.

The project is located in the Rural Transition Area that buffers the Primary Growth Area around the Town of Appomattox from the Rural Preservation Area. The Comprehensive Plan supports economic development in and around the Town of Appomattox. The RTA is intended to be an area of mixed uses providing a transition to the rural setting. The use itself, while commercial in nature, lends itself to a rural setting.

Zoning around the area is predominantly agricultural, however, across the street on the Hunter property is H-1, Historic Overlay zoning. This zoning district is meant to recognize, preserve, and encourage the continued appropriate development of historic resources in designated areas,

however, the development standards for this district are the same as A-1 zoned property. The main difference is the permitted use and conditional use tables.

PROJECT IMPACTS

The property would have little development impact since it would essentially function in a similar manner to the farm that currently operates on the property. VDOT has been contacted concerning the entrance. A low-volume commercial entrance may have to be installed. This segment of Oakleigh Ave has an AADT of 1,100 vpd. This use will not add significantly to the traffic count. No environmental impacts are anticipated. Noise and air pollution would be negligible.

VDOT has reviewed the project. Minimal upgrades will be needed to the main entrance to bring the entrance up to the low-volume commercial entrance standard.

Planning Considerations

The Appomattox County Zoning Ordinance lists the following standards by which a conditional use should be evaluated.

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of Appomattox Comprehensive Plan and/or this chapter.
This use appears to be in line with the general objectives of the Comp Plan.
2. Will be designed, operated and maintained so as to be harmonious and appropriate with the existing or intended character of the general vicinity; and that such use will not change the essential character of the same area.
The proposed use is being designed to mitigate any impact to the greatest extent. The nearest residential use will be approximately 300 feet away across Oakleigh Ave. The nearest residence on the same side of the street is approximately 800 feet away.
3. Will not be hazardous or disturbing to existing or future neighborhood uses.
The proposed use will not be hazardous or disturbing to the neighborhood.
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
The impact on public facilities is negligible.
5. Will not create excessive additional requirements at public costs for public facilities and services; and will not be detrimental to the economic welfare of the community.
Use will not negatively impact public facilities or services. Use provides added benefit by providing an additional business to the community.
6. Will have vehicular approaches to the property which shall be so designed so as not to create any interference with traffic on surrounding public streets or roads.
Minimal traffic will be associated with this use.
7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.

The proposed use will not negatively impact natural, scenic or historic features based on the sketch provided.

Planning Commission Recommendation

The Planning Commission voted unanimously at its September 14, 2016 meeting to adopt the following motion:

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of Matt & Ashley Wilt to operate a landscape supply business (Landscape and Lawn Care Services), with the following conditions:

1. The business shall not be open to the public prior to 8:00 a.m. nor after 6:00 p.m. during traditional spring/summer months of April through August.
2. The entrance will be reviewed by VDOT staff and the appropriate entrance shall be installed per VDOT recommendation.

Board of Supervisors Action

A resolution with the recommendation of the Planning Commission has been prepared for your consideration following the public hearing.



Appomattox County

Please print in blue or black ink or typewrite. If not applicable, write N/A.

APPLICATION INFORMATION

Note: If the applicant is not the property owner, then an owner's authority letter must be submitted with the application.

Applicant Name: Matt + Ashley Wilt

Address: 1510 Oakleigh Ave Appomattox VA 24522

Phone: 571-233-6370 **email:** Justalilfarm5@aol.com

Property Owner Name: Matt + Ashley Wilt, Tom + Carolyn Wilt

Address: 1364 Oakleigh Ave Appomattox VA 24522

Phone: 571-233-6370 **email:** Justalilfarm5@aol.com

Authorized Agent/Contact Person: Matt and/or Ashley Wilt

Address: 1510 Oakleigh Ave Appomattox VA 24522

Phone: 571-233-6370 **email:** Justalilfarm5@aol.com

Project Information

Location/Address of Property (from County Administration office):

1364 Oakleigh Ave Appomattox VA 24522

65(A) 29
Tax Map Number(s): 65(A) 30

Election District: Vera

Size of Parcel(s): 62.55 Amount of area to be utilized by proposed use: 5 acres

Current Zoning: A-1 Current Land Use: Farm

Proposed Zoning: A-1 Proposed Land Use: ~~farm stand~~ landscape supply

Please describe the proposed project or purpose of the request:

Selling produce, mulch and plants

Proffers: The applicant may proffer in writing reasonable conditions in addition to the requested zoning district regulations. All proffered conditions must be in writing, signed and presented prior to the start of the Board of Supervisor's public hearing. **Are proffers proposed?** ☐ YES ☒ NO (If yes, please submit proffer statement to staff.)

Traffic Impact Analysis: If the proposed use meets VDOT's requirements for a traffic impact analysis, then the applicant must meet with VDOT and submit a TIA along with the Development Application.

Justification

The Planning Commission will study the request to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Attach additional information if necessary.

Please explain how the request furthers the purpose of the Zoning Ordinance and the zoning district classification for which the project is proposed.

Please explain how the project conforms to the general guidelines and policies contained in the Appomattox County Comprehensive Plan.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area as well as impact(s) on the public services and facilities, including water, sewer, roads, schools, parks/recreation, and fire/rescue.

N/A

Certification

I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representative(s) entry onto the property for purposes of reviewing this request.

Owner/Agent Signature: Matt and Ashley Wilt Date: 8/26/16

Print Name: Matt and Ashley Wilt

Adjoining Property Owners

Please provide the tax map identification number, name, and address of all parcels that adjoin your proposed development and directly across the street.

Tax Map ID#

Name

Address

65(A)31 James T. Wright 1510 Oakleigh Ave 24522

65(A)32 Leonard Hodge 614 Old Grist Mill Rd 24522

77(A)132 Ronald M. Coleman POB 2103, 24522

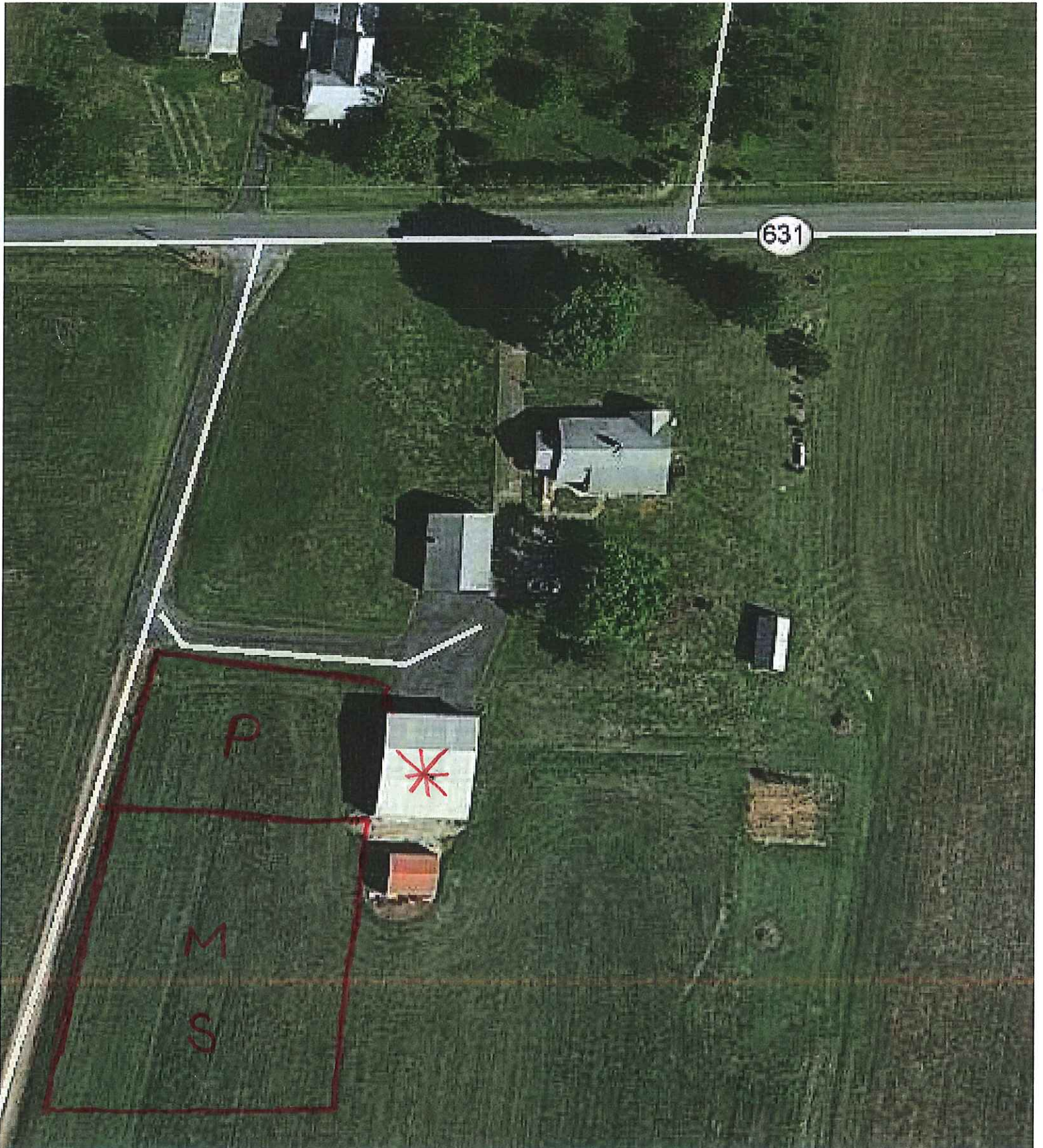
77(A)131 Clayton Bryant sn. Rev. Trust POB 702, 24522

64(A)153 Charles Crawley Jr. POB 681, 24522

65(A)27 Leslie K. Coleman Life Estate 738 Lake Vista Dr, Forest, VA 24551

65(A)9 Paul D. Hunter 1363 Oakleigh Ave, 24522

PLAN



* - Farm stand/Landscape supply

M - Mulch storage

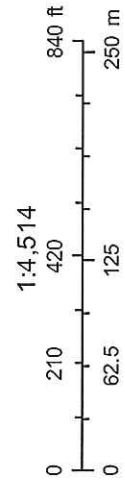
S - Decorative storage storage

Wilt



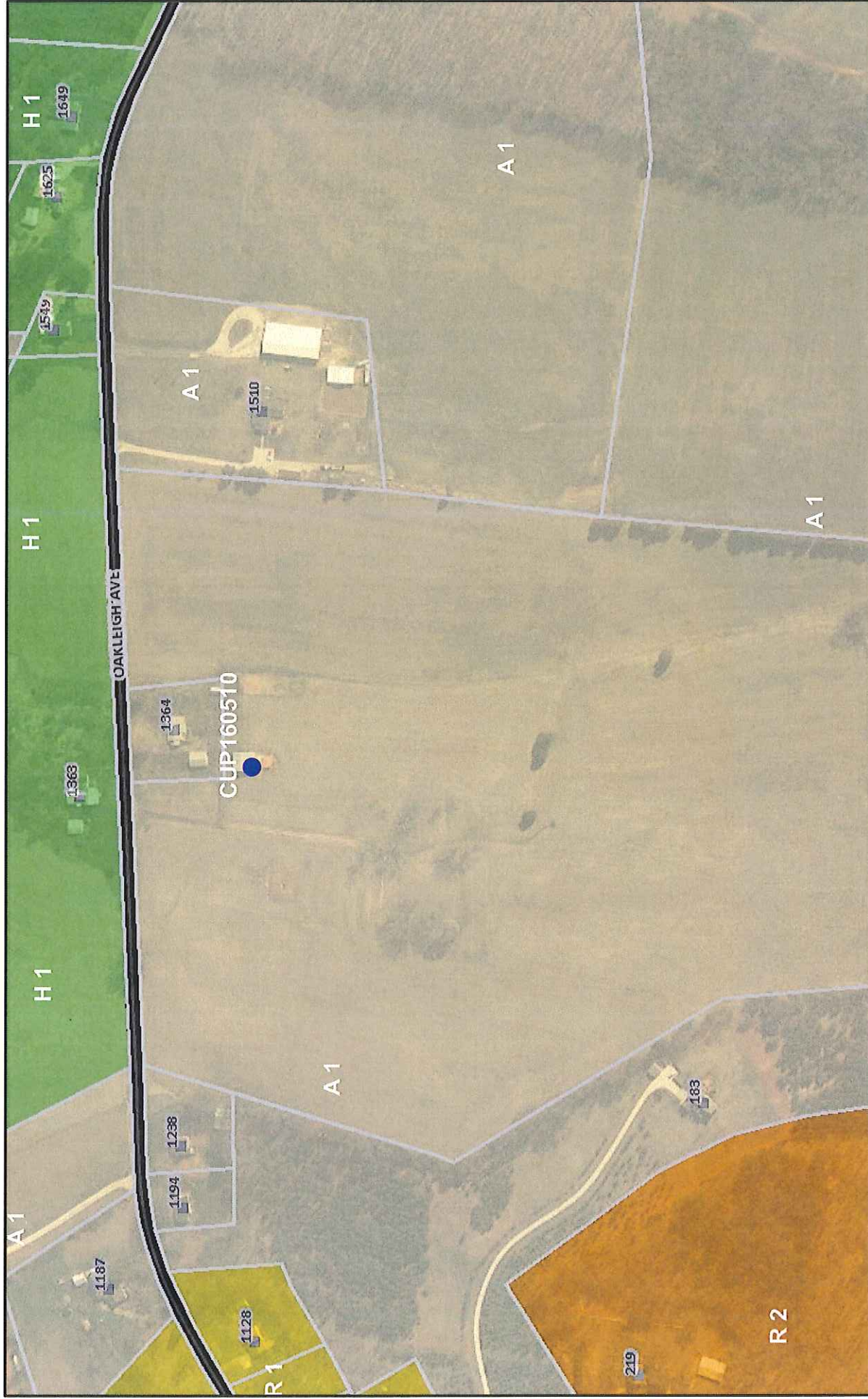
August 31, 2016

Parcels



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and

CUP160510 Zoning



September 6, 2016

pointLayer

● Override 1

Parcels

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomapping, Aerogrid, IGN, IGP, swisstopo, and